

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|------------------------------|---|--------------|
| ANDREW SWAINSON | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| CITY OF PHILADELPHIA, ET AL. | : | NO. 22-2163 |

ORDER

AND NOW, this 2nd day of July, 2025, upon consideration of the Motion for Summary Judgment filed by Defendants City of Philadelphia, Joseph D. Fischer, and James Alexander (Docket No. 79), the Motion for Summary Judgment filed by Manuel Santiago (Docket No. 80), all documents filed in connection therewith, and the Hearing held on April 15, 2025, and in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motions are **GRANTED IN PART AND DENIED IN PART** as follows:

1. The Motions for Summary Judgment are **GRANTED** as unopposed with respect to Mr. Swainson's fabrication of evidence claim against Defendant Fischer in Count I of the Second Amended Complaint.

2. The Motions for Summary Judgment are **GRANTED** with respect to Mr. Swainson's claim in Count I of the Second Amended Complaint that Defendant Alexander procured false trial testimony by Jacqueline Morsell.

3. The Motions for Summary Judgment are **GRANTED** as unopposed with respect to Mr. Swainson's malicious prosecution claims against Defendant Alexander in Counts III and VI of the Second Amended Complaint.

4. The Motions for Summary Judgment are **GRANTED** with respect to Mr. Swainson's municipal liability claim in Count V of the Second Amended Complaint to the extent that the claim is based on a failure to train the City's police officers.

5. All claims asserted against John Della Rocca as the personal representative of Defendants Michael Cohen, Francis Miller, and Arthur Durrant are **DISMISSED** at Plaintiff's request.

6. The Motions for Summary Judgment are **DENIED** in all other respects.

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.